



Appeal Decision

Site visit made on 1 August 2023

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 October 2023

Appeal Ref: APP/H5390/W/23/3316680

740a Fulham Road, Hammersmith and Fulham, London SW6 5SF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Shane Desai (Artemis Residential Ltd) against the decision of the Council of the London Borough of Hammersmith and Fulham.
 - The application Ref 2022/01668/FUL, dated 9 June 2022, was refused by notice dated 16 August 2022.
 - The development proposed is the erection of a single storey roof extension to the existing mews houses at No's. 740a and 740b Fulham Road.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development provided on both the decision notice and the appeal form is different to that shown on the application form. Given that there is no evidence before me to suggest that a change was agreed, I have used the description from the application form.

Main Issues

3. There are two main issues. These are a) whether the proposed development would preserve or enhance the character or appearance of the Central Fulham Conservation Area; and b) the effect of the proposed development on the living conditions of the occupiers of No's. 1 and 1b Dorncliffe Road, with particular regard to daylight, sunlight and outlook.

Reasons

The Central Fulham Conservation Area (CA)

4. Whilst architectural styles in the immediate area of the appeal site are far from uniform, there is a pleasant consistency to period quality in the shape of two storey frontage dwellings with mansard roofs, grand pillared entrance porches and strong ground floor bay windows along Fulham Road. Frontages also include decorative brickwork to window headers and contrasting banding. This, and their situation set minimally back from the road edge, gives them an imposing presence in the street scene. There is some further traditional historic value to the window styles and recessed brickwork to the upper floors of buildings opposite, features which are also prevalent in the Dorncliffe Road street scene. There are two obviously modern developments either side of Dorncliffe Road, including one between it and the appeal site. These buildings stand out, but their presence in the street by virtue of their positioning, use of

brick and a modern take on featured opening styles means they complement their otherwise prevailing traditional setting. Together, these elements contribute positively to the character and appearance of the CA.

5. The existing buildings, situated to the rear of No's. 740 and 742 Fulham Road, have a distinctly recessive presence in the CA, largely due to their back land siting. One can only glimpse them from areas in front of the access from Fulham Road and from close to its junction with Dorncliffe Road. They represent a distinct departure from the established feel of the CA in their use of a light coloured exterior and heavy deployment of privacy screens and photo voltaic panels on the frontage. Due to their position and existing height, the buildings have a neutral effect on the CA.
6. The proposed development would add an extra storey to the buildings with a continuation of the PV panels on the principal elevation, and a part mansard style roof. While the completed development would not be taller than other buildings nearby and use a similar roof style, it would be much more visible than at present, particularly from Dorncliffe Road. The above repeated features would thus compete with the greater quality of buildings on their respective frontages, emphasising the appeal buildings' incongruity in the immediate area. In addition, the greater presence of the buildings would highlight their back land location, which would reduce the quality of the street frontage buildings as examples of such, running against the established and characterful grain of development in the area.
7. With this in mind, the proposals would fail to preserve or enhance the character or appearance of the CA. Given the location of the proposals and their scale in context, the harm would be less than substantial. The Framework, in this case, requires such harm to be weighed against the public benefits of the proposals. The proposed development would provide the occupiers of the existing dwellings with additional space. However, this is a private benefit and I have not identified, nor have I been made aware, of any other public benefits that would weigh in favour of the scheme.
8. The proposed development would thus be contrary to the aims of Section 16 of the National Planning Policy Framework (the Framework) and Policies DC1, DC4 and DC8 of the Hammersmith and Fulham Local Plan, February 2018 (LP). Amongst other things, these policies require new development to be of a high standard of design that respects existing character and preserves the significance of heritage assets.

Living Conditions

9. The appellant's daylight and sunlight report appears to be based on a robust methodology and it concludes that sufficient daylight and sunlight would reach all existing windows at No's. 1 and 1b Dorncliffe Road, with the exception of one second floor window on the rear elevation of 1b. That particular room is served by several other windows, meaning that the amount of daylight and sunlight would not be reduced overall. I do not have the floor plans of No. 1b before me. However, there is no substantive evidence available to lead me to disagree with the findings of the report. The proposed development would therefore not cause harm in relation to daylight and sunlight.
10. Nevertheless, the proposed additional floor would significantly increase the height of the building, adding substantial bulk and mass. This would be readily

apparent for the occupiers of No's. 1 and 1b given the proximity of those properties to the appeal site. This would result in a noticeable sense of enclosure from rear windows, particularly those lower down the elevation. This would be the case whether said windows serve habitable rooms or not. The roof level would be set back to the rear of the building, and the overall footprint would not be extended. However, the completed building would still appear as an unacceptably imposing feature.

11. Whilst being acceptable in terms of daylight and sunlight levels, the proposed development would give rise to unacceptable harm to the outlook of neighbours for the reasons I have set out. The scheme would therefore conflict with LP Policies DC4, DC8 and HO11. Taken together, the relevant aspects of these policies seek to ensure that new development is well designed, including by maintaining the living conditions of neighbouring residents. It also conflicts with the overall aim of Key Principle HS7 of the Hammersmith and Fulham Planning Guidance Supplementary Planning Document, February 2018, which seeks to protect against a loss of outlook.

Conclusion

12. The proposed development would conflict with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. The appeal should therefore be dismissed.

C Butcher

INSPECTOR